THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.20871 of 2006

11.10.2006

Between:

M/s.M.S.B. & G.R.B. Fly Ash Bricks, represented by its Proprietrix Smt.S.Swarajya Laxmi, W/o.Satyam

... Petitioner

AND

The Secretary to Government of Andhra Pradesh, Industries Department, Secretariat, Hyderabad

And others

...Respondents

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.20871 of 2006

ORDER:

The petitioner is a small scale industrial unit engaged in manufacturing of fly ash bricks. Its manufacturing facility is situated at Sai Nagar of Gannavaram Village and Mandal in Krishna District. The third respondent herein appears to have received a complaint from the residents of the locality about the effects of pollution by reason of fly ash bricks unit. He, therefore, issued a show cause notice dated 24.7.2006. The petitioner submitted explanation denying all allegations of pollution and thereafter the third respondent issued the impugned letter dated 21.9.2006 cancelling the permanent SSI registration which was granted in November 2005. Aggrieved by the same, the present writ petition is filed.

Learned Counsel for the petitioner *inter alia* contends that though the petitioner has requested for a joint inspection, the same was not done and the impugned order is passed without considering the explanation submitted by the petitioner. This is, however, refuted by the learned Government Pleader for Industries. It is brought to the notice of this Court by learned Government Pleader that as against the order of the third respondent, the petitioner can as well seek redressal before the second respondent by filing appropriate appeal/representation. As questions of fact are involved, this Court is not inclined to go into the merits of the case. The petitioner is given liberty to approach the second respondent for appropriate redressal in the matter. As and when the petitioner makes representation/appeal, the second respondent may conduct enquiry and pass appropriate orders, keeping in view the policy of the Government of India to encourage such manufacturing units which used fly ash, which is a byproduct in thermal power units.

The writ petition, with the above observations, is accordingly disposed of. No costs.

October [CMS21]11, 2006. (**V.V.S.RAO,**

J)
YS

[CMS21]